UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

July 11, 2016

Ms, Melissa Barlow
Environmental Protection Specialist
Federal Transit Administration
1990 K Street NW, Suite 510
Washington, DC 20006

Re: Final Environmental Impact Statement, Potomac Yard Metrorail Station, Alexandria Virginia, June 2016, CEQ No. 20160133

Dear Ms. Barlow:

In accordance with the National Environmental Policy Act (NEPA) of 1969, Section 309 of the Clean Air Act and the Council on Environmental Quality regulations implementing NEPA (40 CFR 1500-1508), the United States Environmental Protection Agency (EPA) has reviewed the Potomac Yard Metrorail Station Final Environmental Impact Statement (EIS) and the response to our May 18, 2015 comment letter on the Draft EIS. The Final EIS has been prepared by the Federal Transit Administration (FTA) in cooperation with the City of Alexandra, the Washington Metropolitan Area Transit Administration (WMATA) and the National Park Service.

The preferred alternative is Build Alternative B, Option 2 Construction Access (no construction access on the George Washington Memorial Parkway, GWMP). According to the Final EIS, the preferred alternative provides a new direct access point to the regional transit system and maximizes potential ridership, the shift of automobile trips to other modes, and accessibility to the regional transit system for the greatest number of area residents and employees. Construction activities would last up to three years. Opening of the station is expected in 2020. Access to construction staging areas would be from Potomac Greens Drive, Carpenter Road, the Old Town Greens common area, and the Rail Park, with relatively limited construction access from Potomac Yard. Affected portions of city parks and private common areas would be temporarily closed to the public. Permanent impacts associated with the preferred alternative would be up to 1.65 acres of wetlands, 3.03 acres of habitat, six view shed impacts from GWMP, one view shed from Potomac Greens and one view shed from Potomac Yard. In addition, seven residents (same as existing) will be exposed to WMATA noise criteria impacts.

As a result of our review, EPA has remaining concerns related to community impacts, climate change and aquatic impacts associated with this project. We suggest the project team

maintain close coordination with affected residents and continue to avoid and minimize construction and operational impacts associated with the build alternative. Since the construction period can last up to three years, we suggest that the team work with the local residents to mitigate for lost resources such as recreational areas. In addition, we suggest the Record of Decision (ROD) document these agreements and provide commitments to specific avoidance and mitigation measures. EPA would appreciate the opportunity to review the ROD when it is prepared.

While the Final EIS provides more detail related to the preferred alternative, additional information will not be available until the design progresses. Caution should be given to potential contaminated soil and groundwater. Wherever possible, impacts associated with this project should be further avoided and minimized as the project design moves forward. Please consider the attached Technical Comments.

If you have questions regarding these comments, the staff contact for this project is Ms. Barbara Okorn; she can be reached at 215-814-3330.

Sincerely,

Barbara Rudnick
NEPA Team Leader
Office of Environmental Programs

Enclosure

Enclosure
Technical Comments for Final Environmental Impact Statement, Potomac Yard Metrorail Station, Alexandria Virginia

General

- We suggest that the possible outreach methods listed on Page 4-9 be listed in the Record of Decision (ROD). In addition, an adaptive management plan should be developed with how to address any issues that may arise. Given the proximity to residences and the potential for impacts, close coordination is warranted. The project team should work with the communities to address potential problems and minimize disruption. Additional outreach may be warranted for Environmental Justice communities that may be affected by the project.
- Establishing a public communication plan is recommended in order to keep the public informed and attempt to reduce public frustration. This plan could include regular public meetings, emails, a hotline, and other notices.
- Commitment to public communication (as above) should be stated in the ROD.

Stormwater, Aquatic Resources, and Vegetation

- While additional clarification has been provided regarding aquatic resources, it should be noted that this project must comply with Section 404 of the Clean Water Act, which includes avoiding and minimizing impacts to these resources, as well as mitigating for lost functions. Additional information may be required at the permitting stage describing the conditions of the existing resources and demonstrating adequate compensation for unavoidable impacts.
- The project team should investigate opportunities to maintain or re-establish hydrology across the transportation system. If hydrology is impounded by barriers such as bermed areas in rail right-of-way, engineered breaks in the berm may be considered.
- Additional information should be provided regarding a mitigation plan that will fully replace the functions and values of the wetlands proposed to be impacted.
- The mitigation should be in the respective subwatershed and have a monitoring plan with physical, chemical, and biological success criteria. An adaptive management plan should also be created to address mitigation issues.
- The construction timeframe is up to three years. Some impacts that are classified as temporary may be considered permanent given the loss of function over that time. In addition, the Final EIS states that wetlands that are temporarily filled for construction activities will be restored. It should not be assumed that this is an acceptable practice or that these will be considered temporary impacts. The areas may be permanently altered by the fill, compaction, changes in hydrology etc. Efforts should continue to avoid and minimize these impacts.

Environmental Justice

Please note that changes were not made for the Final EIS; comments below reflect ones presented for the Draft EIS in the EPA letter of May 2015.

- The analysis used to identify minority populations does not seem to reflect the intent of the Council on Environmental Quality, Environmental Justice – Guidance under the

National Environmental Policy Act, December 10, 1997. The guidance states: "Minority populations should be identified where either: (a) the minority population of the affected area exceeds 50 percent or (b) the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis. In identifying minority communities, agencies may consider as a community either a group of individuals living in geographic proximity to one another, or a geographically dispersed/transient set of individuals (such as migrant workers or Native American), where either type of group experiences common conditions of environmental exposure or effect. The selection of the appropriate unit of geographic analysis may be a governing body's jurisdiction, a neighborhood, census tract, or other similar unit that is to be chosen so as to not artificially dilute or inflate the affected minority population. A minority population also exists if there is more than one minority group present and the minority percentage, as calculated by aggregating all minority persons, meets one of the above-stated thresholds."

A population exceeding the 50% threshold is a minority community, so any population that is more than 50% minority is by definition a minority population. Figure 3-10: Minority Populations, uses a benchmark value of 58.1% minority in its identification of at risk populations. What is the justification for this value? Use of the 50% or some other more protective benchmark to identify areas of potential EJ concern is recommended.

- It would be helpful to have included all of the demographic information for the study area by census block group in the data used to identify areas of EJ concern.
- Greater detail should be provided as to the potential exposure of at-risk populations to toxic substances, noise, vibration, fugitive dusts, truck traffic, and other activities that may be a result of the activities of this project.

Children's Environmental Health

As suggested in our comments on the Draft EIS:

Executive Order 13045 on Children's Health and Safety directs that each Federal agency shall make it a high priority to identify and assess environmental health and safety risks that may disproportionately affect children, and shall ensure that its policies, programs, activities, and standards address these risks. Analysis and disclosure of these potential effects under NEPA is necessary because some physiological and behavioral traits of children render them more susceptible and vulnerable than adults to health and safety risks. Children may be more vulnerable to the toxic effects of contaminants because their bodies and systems are not fully developed and their growing organs are more easily harmed. The DEIS does not clearly describe the potential direct, indirect, and cumulative impacts of the project on children's health.

- Children's Environmental Health does not appear to have been included in the DEIS. FTA should address Executive Order 13045 for the Protection of Children from Environmental Health Risks and Safety Risks. Without analysis or documentation on this topic, it cannot be assumed that there is no potential risk associated with the proposed project that may adversely affect children's health.

- Evaluation of risks to children's health should include potential direct, indirect and cumulative health impacts in the project area. We also suggest evaluating noise and vibration impacts associated with the project specific to children, identifying areas where children reside or children's faclitly.

Cumulative Impacts

As stated in our comments on the DEIS, the EIS should include a thorough cumulative impact analysis for past, present and reasonably foreseeable projects occurring in the project areas. EPA suggests that a secondary and cumulative effects analysis begin with defining the geographic and temporal limits of the study; this is generally broader than the study area of the project. The document should address potential indirect and cumulative effects in the project areas, and analysis may aid in the identification of resources that are likely to be adversely affected by multiple projects, and sensitive resources that could require additional measures of protection. This includes an assessment of cumulative impacts to wetlands and other resources.

Greenhouse Gas/ Climate Change

As suggested in our comments on the Draft EIS:

- We recommend that the FEIS include an estimate of the GHG emissions associated with the project during construction, a qualitative description of relevant climate change impacts, and an analysis of reasonable alternatives and/or practicable mitigation measures to reduce project-related GHG emissions. We also recommend that the NEPA analysis should more robustly consider changes to the design of the proposal to incorporate GHG reduction measures and resilience to foreseeable climate change. EPA further recommends that the Record of Decision commit to implementation of reasonable mitigation measures that would reduce project-related GHG emissions and to adapt to climate change impacts.
- EPA recommends the NEPA Analysis thoroughly describe potential changes to the Affected Environment that may result from climate change. Including future climate scenarios would help decision makers and the public consider whether the environmental impacts of the alternatives would be exacerbated by climate change. If impacts may be exacerbated by climate change, additional mitigation measures may be warranted. In addition, we recommend the FEIS's alternatives analysis consider, as appropriate, practicable changes to the proposal to make it more resilient to anticipated climate change. While the FEIS references the City of Alexandria's Energy and Climate Change Action Plan 2012-2020 and some other sources, we suggest also using the National Climate Assessment (NCA), released by the U.S. Global Change Resource Program [1], or other peer reviewed climate scenarios to inform alternatives analysis and possible changes to the proposal can improve resilience and preparedness for climate change.

[1] http://nca2014.globalchange.gov/